

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

SENATE BILL 10-149

BY SENATOR(S) Tapia, Keller, White;
also REPRESENTATIVE(S) Ferrandino, Pommer, Lambert.

CONCERNING ADVANCEMENTS TO COUNTIES FROM THE COUNTY TAX BASE
RELIEF FUND.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 26-1-126 (2.1) (b) and (4) (a), Colorado Revised Statutes, are amended, and the said 26-1-126 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

26-1-126. County contingency fund - county tax base relief fund - creation - repeal. (2.1) (b) For the fiscal year beginning July 1, 2008, and for each fiscal year thereafter, a county's qualification for an advancement from the county tax base relief fund during the fiscal year shall be based upon a three-tiered system whereby a county may qualify for a distribution of moneys from one or more tiers. FOR ANY FISCAL YEAR IN WHICH APPROPRIATIONS TO THE COUNTY TAX BASE RELIEF FUND ARE INSUFFICIENT TO PROVIDE ADVANCEMENTS FROM EACH TIER AS DESCRIBED IN SUBSECTIONS (3) AND (4) OF THIS SECTION:

(I) ANY MONEYS APPROPRIATED TO THE COUNTY TAX BASE RELIEF

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

FUND SHALL FIRST BE USED TO PROVIDE ADVANCEMENTS FROM TIER 1;

(II) IF SUFFICIENT MONEYS ARE APPROPRIATED TO PROVIDE ALL ADVANCEMENTS FROM TIER 1, THE REMAINING MONEYS SHALL BE USED TO PROVIDE ADVANCEMENTS FROM TIER 2; AND

(III) IF SUFFICIENT MONEYS ARE APPROPRIATED TO PROVIDE ALL ADVANCEMENTS FROM TIER 1 AND TIER 2, THE REMAINING MONEYS SHALL BE USED TO PROVIDE ADVANCEMENTS FROM TIER 3.

(4) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF SUBSECTION (2.1) OF THIS SECTION, in the event appropriations are insufficient to cover advancements FROM ONE OR MORE TIERS AS provided for in this section, ~~all~~ THE advancements FROM A TIER FROM WHICH APPROPRIATIONS ARE INSUFFICIENT TO COVER ALL ADVANCEMENTS FROM THAT TIER shall be prorated on the basis of total claims submitted in proportion to ~~funds~~ MONEYS available. As ~~funds~~ MONEYS are advanced, any adjustments shall be made from subsequent ~~monthly~~ payments for this purpose.

(6) (a) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2) OR (3) OF THIS SECTION TO THE CONTRARY, FOR THE 2009-10, 2010-11, AND 2011-12 FISCAL YEARS, A COUNTY'S QUALIFICATION FOR AN ADVANCEMENT FROM THE COUNTY TAX BASE RELIEF FUND SHALL BE LIMITED TO THE AMOUNT, IF ANY, THAT THE COUNTY IS QUALIFIED TO RECEIVE FROM TIER 1, AS DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION.

(b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2012.

SECTION 2. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO